

#6

**PETITION UNDER 37 CFR 1.55(c) TO ACCEPT AN UNINTENTIONALLY DELAYED
CLAIM FOR PRIORITY UNDER 35 U.S.C. 119(a)**

First Named Inventor: Brian Moore
Application No.: 09/854,905 Group Art Unit: 2858
Filed : May 15, 2001 Examiner: N/A
Title : Wireless Radio Frequency Technique Design and Method For
Testing of Integrated Circuits and Wafers

Docket No. : 11157-23

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OFFICE OF PETITIONS

October 4, 2001

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C 20231

Applicant has unintentionally failed to timely claim priority under 35 U.S.C. 119(a). The deadline to claim priority is the later of four months from the actual filing date of the U.S. application or sixteen months from the filing date of the prior foreign application.

**APPLICANT HEREBY PETITIONS TO ACCEPT A DELAYED CLAIM FOR PRIORITY
UNDER 35 U.S.C.119(a).**

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) A statement that the entire delay was unintentional.

1. The Petition Fee of \$1280.00 (37 CFR 1.17(t)) is attached.

2. The foreign patent application from which priority is claimed is Canadian Patent Application Serial No. 2,308,820 filed on May 15, 2000, details of which are included in the appended Information Data Sheet.

3. Statement. The entire delay in claiming priority under 35 U.S.C. 119(a) from the due date for claiming priority under 35 U.S.C. 119(a) until the filing of a grantable petition under 37 CFR 1.55(c) was unintentional.

10/19/2001 JHURPHY 00000000 09/854,905

01 FC:141

1280.00 OP

Thurs., Oct. 4, 2001

Date

Telephone

Number: (416) 364-7311



Signature

Stephen M. Beney

Registration No. 41,563

Typed or Printed Name

Bereskin & Parr

40 King Street West

Toronto, Ontario

M5H 3Y2

Address

Enclosures: Information Data Sheet
Fee Transmittal Form
Fee Payment

Please type a plus sign (+) inside this box → ☒

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

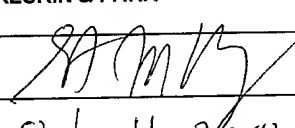
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/854,905	
	Filing Date	05/15/2001	
	First Named Inventor	Brian Moore	
	Group Art Unit	2858	
	Examiner Name	N/A	
Total Number of Pages in This Submission	2	Attorney Docket Number	11157-23

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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	BERESKIN & PARR		
Signature			
Date	Oct. 4, 2001		

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <input type="text"/>			
Typed or printed name	<input type="text"/>		
Signature	<input type="text"/>	Date	<input type="text"/>

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

#7

Initial Information Data Sheet**Inventor Information**

Inventor One Given Name:: Brian
Family Name:: MOORE
Postal Address Line One:: 234 Ockenden Place
City:: Edmonton
State or Province:: Alberta
Postal or Zip Code: T6R 1K6
Citizenship Country:: Canada

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Correspondence Information

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Country:: Canada
Postal or Zip Code:: M5H 3Y2
Telephone One:: (416)957-1697
Telephone Two:: (416)364-7311
Fax:: (416)361-1398
Electronic mail:: sbeney@bereskinparr.com

Application Information

Title Line One:: Wireless Radio Frequency Technique
Title Line Two:: Design And Method For Testing
Title Line Three:: Of Integrated Circuits And Wafers
Total Drawing Sheets:: 32
Formal Drawings?: Yes
Application Type:: Utility
Docket Number:: 11157-23

Representative Information

Representative Customer Number:: 001059

Prior Foreign Applications

Foreign Application One:: 2,308,820
Filing Date:: May 15, 2000
Country:: Canada
Priority Claimed:: Yes

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 1,280.00

Complete if Known

Application Number 09/854,905
Filing Date 05/15/2001
First Named Inventor Brian Moore
Examiner Name N/A
Group Art Unit 2858
Attorney Docket No. 11157-23

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METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 022095
Deposit Account Name Bereskin & Parr

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed: \$384
☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0

2. EXTRA CLAIM FEES

Total Claims -20** = X = 0
Independent Claims -3** = X = 0
Multiple Dependent =

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Code	Large Entity (\$)	Fee Code	Small Entity (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) Surcharge (37 CFR 1.17(t))					1,280.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1,280.00

SUBMITTED BY

Name (Print/Type) Stephen M. Beney

Signature

Registration No. 41,563
(Attorney/Agent)

Complete (if applicable)

Telephone (416) 364-7311

Date Oct. 4, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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